

REMARKS

Claims 1-46 are pending in this application.

Claims 20 and 46 have been canceled without prejudice or disclaimer and claims 1, 19, 32 and 37 have been amended and claim 47 has been added by the present Amendment. Amended claims 1, 19, 32 and 37 and new claim 47 do not introduce any new subject matter.

REJECTIONS UNDER 35 U.S.C. § 102

Reconsideration is respectfully requested of the rejection of claims 19-21, 27, 28, 31-32, 35 and 36 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Pub. No. 2004/0130616 ("Tseng").

Claim 19 has been amended to recite that the base portion includes a first opening in line with a slot in the media player and the headrest includes a second opening in line with the first opening for receiving a data media to be inserted into the slot. For example, referring to Fig. 6 and page 14, lines 13-19 of Applicant's disclosure, an opening 509 in the headrest aligns with a slot 902 of an entertainment device. In addition, the base portion, including the media player mounted therein, includes an opening to provide access to the slot 902 of the media player.

In contrast to the claimed embodiment, Tseng does not disclose or suggest the openings as claimed.

Accordingly, claim 1, as amended is not anticipated by Tseng.

For at least the reason that claims 21, 27, 28, 31-32, 35 and 36 depend from claim 1, claims 21, 27, 28, 31-32, 35 and 36 are also submitted not to be anticipated by

the cited reference, claims 20 having been canceled.

As such, Applicant requests that the Examiner withdraw the rejection of claims 19-21, 27, 28, 31-32, 35 and 36 under 35 U.S.C. §102(e).

REJECTIONS UNDER 35 U.S.C. § 103

CLAIMS 1-18

Reconsideration is respectfully requested of the rejection of (1) claims 1-11, 13-15 and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,871,356 ("Chang") in view of International Patent Application Pub. No. WO/0038951 ("Mathias") and U.S. Patent No. 5,214,514 ("Haberkern"); (2) claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and Haberkern as applied to claim 1, and further in view of French Patent Application Pub. No. 2,817,812 ("Baret"); (3) claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and Haberkern as applied to claim 1, and further in view of U.S. Patent No. 4,982,996 ("Vottero-Fin"); and (4) claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and Haberkern as applied to claim 1, and further in view of U.S. Patent No. 6,102,476 ("May").

Claim 1 has been amended to recite that a loading point for a data storage medium for the media player is located on the side of the door opposite the display and facing the base portion. For example, referring to Figs. 4A-4E, and page 10, line 4 – page 11, line 7 of Applicant's disclosure, the display 320 and the entertainment unit 700 are formed on opposite sides, and the entertainment unit is formed on a side of the door 302 that faces the base portion 310. A cover 702 on that side can be opened to allow insertion of a data storage medium into the device.

The Examiner admits that Chang and Mathias do not disclose a loading point for a data storage medium is located on the side of the door opposite the display, and relies on Haberkern to cure the deficiency in Chang and Mathias. See October 27, 2006 Office Action at 11.

The Examiner maintains that Figs. 1 and 2 of Haberkern teach a loading point of a media player 13 is located on a side opposite the display 5.

However, Haberkern does not disclose or suggest that the side opposite the display is also the side facing the base portion. Indeed, Haberkern teaches away from the claimed configuration. Haberkern states, at col. 1, lines 52-60, that the CD playing device plugs into the housing cover portion on the side of the housing cover portion facing away from the housing bottom portion, so that the CD playing device is easily accessible, and can be simply inserted into and removed from the housing cover.

Therefore, Haberkern fails to disclose positioning the loading point on a side of the door that faces the base portion. Haberkern teaches away from this feature by positioning the CD playing device on an outside surface for quick insertion and removal of device. Accordingly, one of ordinary skill in the art would not be motivated by the teaching in Haberkern to modify Chang to include claimed positioning for the data storage medium loading point on the side of the door opposite the display and facing the base portion.

Accordingly, claim 1, as amended is patentable over Chang in view of Mathias and Haberkern.

Further, Baret, Vottero-Fin or May do not provide any teaching, suggestion or motivation to modify Chang to develop the claimed embodiment.

Therefore, none of the cited references, when taken alone or in combination, render obvious the embodiment as recited in claim 1.

As such, Applicant respectfully submits that claim 1 is patentable over Chang in view of Mathias and Haberkern, and over Chang in view of Mathias and Haberkern and further in view of Baret, Vottero-Fin or May.

For at least the reason that claims 2-18 depend from claim 1, claims 2-18 are also submitted to be patentable over the cited references.

As such, Applicant requests that the Examiner withdraw the rejections of claims 1-18 under 35 U.S.C. §103(a).

CLAIMS 19-36

Rejections of Claims 19-36 Based on Tseng

Reconsideration is respectfully requested of the rejection of (1) claims 22-26 under 35 U.S.C. § 103(a) as being unpatentable over Tseng in view of Chang; (2) claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Tseng in view of Baret; (3) claim 33 under 35 U.S.C. § 103(a) as being unpatentable over Tseng in view of Vottero-Fin; and (4) claim 34 under 35 U.S.C. § 103(a) as being unpatentable over Tseng in view of May.

As stated above, claim 19 has been amended to recite that the base portion includes a first opening in line with a slot in the media player and the headrest includes a second opening in line with the first opening for receiving a data media to be inserted into the slot. For example, referring to Fig. 6 and page 14, lines 13-19 of Applicant's disclosure, an opening 509 in the headrest aligns with a slot 902 of an entertainment device. In addition, the base portion, including the media player mounted therein,

includes an opening to provide access to the slot 902 of the media player.

Tseng does not disclose or suggest the openings as claimed. Indeed, the Examiner admits that Tseng does not disclose this feature. See October 27, 2006 Office Action at 8.

Accordingly, claim 19, as amended is patentable over Tseng.

Further, Baret, Vottero-Fin or May do not provide any teaching, suggestion or motivation to modify Tseng to develop the claimed embodiment.

*Note Regarding U.S. Patent No. 6,339,455 to Allan
And The Rejection Of Claim 40*

In rejecting claim 40, which recites a vehicle seat headrest including an opening in line with a slot in the media player for receiving a data media to be inserted in the slot, the Examiner maintains that Allan teaches a media player mounted in a base portion and the base portion including an opening in line with a slot in the media player for receiving a data media to be inserted into the slot. See October 27, 2006 Office Action at 8.

While Allan appears to disclose a housing 1 having a DVD slot 6, there is simply no justification other than hindsight for the Examiner to conclude that the disclosure in Allan would lead one of ordinary skill in the art to modify Tseng based on Allan to include an opening in a headrest in line with the slot.

There is simply no disclosure in any of the cited references, including Allan, to provide an additional opening in a headrest beyond the opening in the base portion through which a data media is inserted to reach a slot of the media player. Further, even if such a feature were disclosed by the combination of the references, the Examiner has not provided any rationale for such a modification to Tseng.

Therefore, none of the cited references, when taken alone or in combination, render obvious the claimed base portion including a first opening in line with a slot in the media player and a headrest including a second opening in line with the first opening for receiving a data media to be inserted into the slot.

As such, Applicant respectfully submits that claim 19 is patentable over Tseng in view of Baret, Vottero-Fin or May (or Allan).

For at least the reason that claims 22-26, 29, 33 and 34 depend from claim 19, claims 22-26, 29, 33 and 34 are also submitted to be patentable over the cited references.

As such, Applicant requests that the Examiner withdraw the rejections of claims 22-26, 29, 33 and 34 in connection with Tseng under 35 U.S.C. §103(a).

Rejections of Claims 19-36 Based On Chang, Mathias and Ishii

Reconsideration is respectfully requested of the rejection of (1) claims 19-28, 30-32, 35 and 36 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and U.S. Patent No. 5,396,340 ("Ishii"); (2) claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and Ishii as applied to claim 19, and further in view of Baret; (3) claim 33 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and Ishii as applied to claim 19, and further in view of Vottero-Fin; and (4) claim 34 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and Ishii as applied to claim 19, and further in view of May.

As stated above, claim 19 has been amended to recite that the base portion includes a first opening in line with a slot in the media player and the headrest includes

a second opening in line with the first opening for receiving a data media to be inserted into the slot.

Chang does not disclose or suggest the openings as claimed. Indeed, the Examiner admits that Chang does not disclose this feature. See October 27, 2006 Office Action at 15.

Accordingly, claim 19, as amended is patentable over Chang.

Further, Baret, Vottero-Fin or May do not provide any teaching, suggestion or motivation to modify Tseng to develop the claimed embodiment.

Note Regarding Mathias And The Rejection Of Claim 40

In rejecting claim 40, which recites a vehicle seat headrest including an opening in line with a slot in the media player for receiving a data media to be inserted in the slot, the Examiner maintains that Mathias at Fig. 5, element 81, teaches such an opening. See October 27, 2006 Office Action at 15.

Similar to the situation with Allan discussed above, the slot 81 in Mathias is not in a headrest, or in any other part of a vehicle. In contrast, the slot 81 is in the device. As such, there is simply no justification other than hindsight for the Examiner to conclude that the disclosure in Mathias would lead one of ordinary skill in the art to modify Chang based on Mathias to include an opening in a headrest in line with the slot.

There is simply no disclosure in any of the cited references, including Mathias, to provide an additional opening in a headrest beyond the opening in the base portion through which a data media is inserted to reach a slot of the media player. Further, even if such a feature were disclosed by the combination of the references, the Examiner has not provided any rationale for such a modification to Chang.

Therefore, none of the cited references, when taken alone or in combination, render obvious the claimed base portion including a first opening in line with a slot in the media player and a headrest including a second opening in line with the first opening for receiving a data media to be inserted into the slot.

As such, Applicant respectfully submits that claim 19 is patentable over Chang in view of Mathias and Ishii and further in view of Baret, Vottero-Fin or May.

For at least the reason that claims 21-36 depend from claim 19, claims 21-36 are also submitted to be patentable over the cited references, claim 20 having been canceled.

As such, Applicant requests that the Examiner withdraw the rejections of claims 19-36 in connection with Chang, Mathias and Ishii under 35 U.S.C. §103(a).

CLAIMS 37-45

Reconsideration is respectfully requested of the rejection of (1) claims 37 and 39-45 under 35 U.S.C. § 103(a) as being unpatentable over Tseng in view of U.S. Patent No. 6,339,455 ("Allan"); and (2) claim 38 under 35 U.S.C. § 103(a) as being unpatentable over Tseng in view of Allan and Mathias.

Reconsideration is also respectfully requested of the rejection of claims 37-45 under 35 U.S.C. § 103(a) as being unpatentable over Chang in view of Mathias and Allan.

Claim 37 has been amended to recite that the data bus transmits data from the media player or receives data for the media player to or from at least one location outside the vehicle seat headrest. For example, referring to Fig. 9, and page 15, lines 8-18 of Applicant's disclosure, a video system 1000 and a slave unit 1002 are

connected via a data bus 1004, whereby the slave unit 1002 receives data to be displayed from the video system 1000 through the data bus 1004. In addition, the data bus 1004 may be connected to other devices 1005, such as a vehicle sound system or a vehicle's navigation system.

The Examiner admits that Tseng, and Chang as modified by Mathias, do not disclose a data bus. See October 27, 2006 Office Action at 7-8, 14. The Examiner relies on Allan to cure the deficiency in Tseng, Chang and Mathias, stating that Allan discloses a data bus 19 provided between the control unit 17 to the display and to the DVD player 15.

First, Allan does not disclose a data bus. Element 19 in Allan schematically refers to audiovisual signaling being transmitted from the DVD player to a control unit 17. However, there is simply no discussion in Allan regarding whether a data bus is used to transmit audio and visual signals in Allan.

Second, assuming *arguendo*, Allan did disclose a databus, Allan fails to disclose the use of a data bus to transmit data from the media player or receive data for the media payer to or from a location outside the vehicle seat headrest.

Accordingly, claim 37, as amended is patentable over Tseng in view of Allan, Tseng in view of Allan and Mathias, and Chang in view of Mathias and Allan.

Therefore, none of the cited references, when taken alone or in combination, render obvious the embodiment as recited in claim 37.

For at least the reason that claim 38-45 depend from claim 37, claims 38-45 are also submitted to be patentable over the cited references.

As such, Applicant requests that the Examiner withdraw the rejections of claims

37-45 under 35 U.S.C. §103(a).

CLAIM 46

The Examiner has rejected claim 46 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2006/0112144 ("Ireton") in view of Tseng, and as being unpatentable over Ireton in view of Chang.

Applicant has canceled claim 46 without prejudice, rendering the rejections of claim 46 moot. Accordingly, Applicant respectfully requests that the rejections of claim 46 under 35 U.S.C. § 103(a) be withdrawn.

DOUBLE PATENTING

Claims 1-46 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-65 of U.S. Patent No. 6,899,365 ("Lavelle"). Lavelle is commonly owned by the assignee of the instant application.

Claims 1-46 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-23 of copending Application No. 10/438,724 ("Schedivy"). Schedivy is commonly owned by the assignee of the instant application.

Applicant requests that the double patenting rejections be held in abeyance pending disposition of the statutory rejections and possible amendments to the claims. If at such time, the Examiner maintains the double patenting rejections, Applicant will attend to responding to same. Accordingly, Applicant reserves the right to submit Terminal Disclaimers under 37 C.F.R. § 1.321 to obviate the double patenting rejections. The filing of Terminal Disclaimers is not intended to be, nor should it be

construed as, an admission as to the merits of the rejections.

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,



Michael F. Morano
Reg. No. 44,952
Attorney for Applicant

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, NY 11797
(516) 692-8888